

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

CONCORD MUSIC GROUP, INC., ET AL.,

Plaintiffs,

v.

ANTHROPIC PBC,

Defendant.

Case No. 3:23-cv-01092

Chief Judge Waverly D. Crenshaw, Jr.  
Magistrate Judge Alistair Newbern

**PLAINTIFFS' MOTION REQUESTING ORAL ARGUMENT**

Pursuant to Local Rule 78.01 of the United States District Court for the Middle District of Tennessee, Plaintiffs respectfully request oral argument on their Motion for Preliminary Injunction (Dkt. No. 40). Plaintiffs seek limited but important injunctive relief against Defendant, Anthropic PBC, to stop the admittedly unauthorized use of Plaintiffs' copyrighted musical compositions and otherwise to maintain the status quo. Plaintiffs submit that oral argument will aid the Court's consideration of this important Motion.

This case involves application of well-established copyright law to Anthropic's artificial intelligence ("AI") models, including, in particular, Anthropic's copying of Plaintiffs' protected lyrics to train its AI models, its verbatim and near-verbatim copying of those lyrics in the output of its models, and its creation of derivative works based on Plaintiffs' copyrights through those models that Plaintiffs would not authorize.

Plaintiffs respectfully submit that oral argument will not only facilitate the Court's understanding of the issues in this case, but also enable counsel for the parties to respond to questions the Court may have regarding the issues raised in the briefing and supporting factual

declarations. Plaintiffs do not believe an evidentiary hearing is necessary, and Plaintiffs are prepared to rely upon the declarations of their fact witness (which are essentially conceded) and experts. Oral argument by counsel, however, will assist the Court in sorting through the competent expert opinions and offer assistance in analyzing the law.

Further, oral argument will assist the Court in framing the scope of appropriate preliminary injunctive relief to stop further infringement and to prevent further irreparable harm.

Dated: February 14, 2024

Richard S. Mandel  
Jonathan Z. King  
Richard Dannay  
(admitted *pro hac vice*)  
COWAN, LIEBOWITZ & LATMAN, P.C.  
114 West 47th Street  
New York, NY 10036-1525  
Telephone: 212-790-9200  
[rsm@cll.com](mailto:rsm@cll.com)  
[jzk@cll.com](mailto:jzk@cll.com)  
[rxd@cll.com](mailto:rxd@cll.com)

Jennifer Pariser  
Andrew Guerra  
Timothy Chung  
(admitted *pro hac vice*)  
OPPENHEIM + ZEBRAK, LLP  
461 5th Avenue, 19th Floor  
New York, NY 10017  
Telephone: (212) 951-1156  
[jpariser@oandzlaw.com](mailto:jpariser@oandzlaw.com)  
[andrew@oandzlaw.com](mailto:andrew@oandzlaw.com)  
[tchung@oandzlaw.com](mailto:tchung@oandzlaw.com)

Respectfully submitted,

/s/ Steven A. Riley  
Steven A. Riley (No. 6258)  
Tim Harvey (No. 21509)  
Grace Peck (No. 38558)  
RILEY & JACOBSON, PLC  
1906 West End Avenue  
Nashville, TN 37203  
Telephone: (615) 320-3700  
[sriley@rjfirms.com](mailto:sriley@rjfirms.com)  
[tharvey@rjfirms.com](mailto:tharvey@rjfirms.com)  
[gpeck@rjfirms.com](mailto:gpeck@rjfirms.com)

Matthew J. Oppenheim  
Nicholas C. Hailey  
Audrey L. Adu-Appiah  
(admitted *pro hac vice*)  
OPPENHEIM + ZEBRAK, LLP  
4530 Wisconsin Avenue, NW, 5th Floor  
Washington, DC 20016  
Telephone: (202) 480-2999  
[matt@oandzlaw.com](mailto:matt@oandzlaw.com)  
[nick@oandzlaw.com](mailto:nick@oandzlaw.com)  
[aadu-appiah@oandzlaw.com](mailto:aadu-appiah@oandzlaw.com)

*Attorneys for Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that on February 14, 2024, I authorized the electronic filing of a true and exact copy of the foregoing with the Clerk of the Court using the CM/ECF system, which sent notice of such filing to the following:

Aubrey B. Harwell III (No. 017394)  
Nathan C. Sanders (No. 33520)  
Olivia R. Arboneaux (No. 40225)  
NEAL & HARWELL, PLC  
1201 Demonbreun Street, Suite 1000  
Nashville, TN 37203  
[tharwell@nealharwell.com](mailto:tharwell@nealharwell.com)  
[nsanders@nealharwell.com](mailto:nsanders@nealharwell.com)  
[oarboneaux@nealharwell.com](mailto:oarboneaux@nealharwell.com)

Allison L. Stillman  
LATHAM & WATKINS LLP  
1271 Avenue of the Americas  
New York, NY 10020  
[alli.stillman@lw.com](mailto:alli.stillman@lw.com)

Kevin C. Klein  
KLEIN SOLOMON MILLS, PLLC  
1322 4<sup>th</sup> Avenue North  
Nashville, TN 37208  
[kevin.klein@kleinpllc.com](mailto:kevin.klein@kleinpllc.com)

Nicole Saad Bembridge  
NETCHOICE, LLC  
1401 K St. NW, Suite 502  
Washington, DC 20005  
[nsaadbembridge@netchoice.org](mailto:nsaadbembridge@netchoice.org)

Joseph R. Wetzel  
Andrew M. Gass  
LATHAM & WATKINS LLP  
505 Montgomery Street, Suite 2000  
San Francisco, CA 94111  
[joe.wetzel@lw.com](mailto:joe.wetzel@lw.com)  
[andrew.gass@lw.com](mailto:andrew.gass@lw.com)

Sarang V. Damle  
LATHAM & WATKINS LLP  
555 Eleventh Street, NW, Suite 1000  
Washington, DC 20004  
[sy.damle@lw.com](mailto:sy.damle@lw.com)

Eric P. Tuttle  
WILSON SONSINI GOODRICH & ROSATI  
701 Fifth Avenue, Suite 5100  
Seattle, WA 98104  
[eric.tuttle@wsgr.com](mailto:eric.tuttle@wsgr.com)

/s/ Steven A. Riley  
Steven A. Riley